

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

IN THE MATTER OF THE EXTRADITION
OF AARON SETH JUÁREZ

Case No. 1:24-mj-00079-SAB

MEMORANDUM AND ORDER
CERTIFYING EXTRADITABILITY

(ECF Nos. 18, 19, 20, 21)

I.

INTRODUCTION

On July 9, 2024, the United States of America (“the Government”) filed a complaint seeking the extradition of Aaron Seth Juárez (“Juárez”) at the request of the United Mexican States (“Mexico”) pursuant to the Extradition Treaty between the United States of America and Mexico.¹

Juárez is alleged to have shot and killed his stepmother (“the decedent”) at her home in Tijuana, Mexico on February 5, 2019. (ECF No. 1.) On March 1, 2019, following a hearing before a Constitutional Rights Court Judge of the Judicial Branch for the State of Baja California, seated in the City of Tijuana, an arrest warrant was issued for Juárez for his probable

¹ Extradition Treaty Between the United States of America and the United Mexican States, U.S.-Mex., May 4, 1978, 31 U.S.T. 5059, as amended by the Protocol to the Extradition Treaty Between the United States of America and the United Mexican States of May 4, 1978, U.S.-Mex., Nov. 13, 1997, S.TREATY DOC. NO. 105-46 (1998) ("the Treaty"). (ECF No. 18 at 31-68).

1 participation in the commission of the crime of femicide, as provided for and penalized by
2 Article 129 of the Criminal Code of the State of Baja California, Mexico (“Baja Criminal
3 Code”). (ECF No. 18 at 3-30.)

4 On February 27, 2023, Mexico submitted a formal request to the United States pursuant
5 to the Treaty to extradite Juárez to face a charge of femicide. (Id.)

6 On July 9, 2024, the Government filed a complaint against Juárez pursuant to 18 U.S.C. §
7 3184, and an arrest warrant issued the same day. (ECF No. 1.) Juárez was arrested while in the
8 custody of the Bureau of Prisons at the United States Penitentiary, Atwater, where he is serving a
9 sentence for an unrelated offense. (ECF No. 19 at 16.) On August 2, 2024, Juárez appeared for
10 his initial appearance on the complaint for extradition to Mexico. (ECF No. 5.)

11 On August 7, 2024, the Government filed a redacted version of the extradition request and
12 supporting documents. (ECF No. 11.) At an October 16, 2024 status conference, an order issued
13 setting a briefing schedule with an extradition hearing set for February 4, 2025, which was later
14 continued to February 19, 2025. (ECF Nos. 14, 22.) On January 7, 2025, the Court granted the
15 Government’s request to file under seal an unredacted version of the extradition request and
16 supporting documents (ECF Nos. 15, 16), which were filed under seal the same day (ECF No.
17 18). On January 7, 2025, the Government filed a memorandum in support of extradition. (ECF
18 No. 19.) Juárez filed an opposition on January 21, 2025. (ECF No. 20.) The Government filed
19 a reply to Juárez’s opposition on January 28, 2025. (ECF No. 20.)

20 An extradition hearing was held before the undersigned on February 19, 2025. (ECF No.
21 24.) Counsel Dhruv Sharma appeared for the Government. Counsel Reed Grantham appeared
22 with Juárez who was in custody. The Government moved to admit the extradition package (ECF
23 Nos. 11, 18) into evidence. The exhibits were admitted without objection.²

24 Having considered the moving, opposition, and reply papers, the extradition package, the
25 record, and the arguments presented at the February 19, 2025 hearing, the Court finds, for the
26

27 ² Juárez does not challenge that the documents submitted in support of extradition comply with the Treaty. Upon
28 review of the documents, the Court finds that they comport with the Treaty requirements, have been certified by the
principal consular officer of the United States of America in Mexico, and are properly authenticated under the law of
the United States. 18 U.S.C. § 3190; (ECF No. 18 at p. 2, ¶ 6).

1 following reasons, that the Government has satisfied its burden under 18 U.S.C. § 3184 and has
2 established that Juárez is eligible to be extradited to Mexico.

3 **II.**

4 **LEGAL STANDARD**

5 “Extradition from the United States is a diplomatic process that is initiated by a request
6 from the nation seeking extradition directly to the Department of State.” Prasoprat v. Benov, 421
7 F.3d 1009, 1012 (9th Cir. 2005). Extradition requests are evaluated by the State Department to
8 determine whether the request falls within scope of the relevant extradition treaty. Santos v.
9 Thomas, 830 F.3d 987, 991 (9th Cir. 2016); Prasoprat, 421 F.3d at 1012. If the request falls
10 within the treaty, a United States Attorney files a complaint in the district court seeking an arrest
11 warrant for the person sought to be extradited. Santos, 830 F.3d at 991; Prasoprat, 421 F.3d at
12 1012.

13 “Extradition from the United States is governed by 18 U.S.C. section 3184, which confers
14 jurisdiction on ‘any justice or judge of the United States, or any magistrate judge authorized so to
15 do by a court of the United States’ to conduct an extradition hearing under the relevant
16 extradition treaty between the United States and the requesting nation, and to issue a certification
17 of extraditability to the Secretary of State.’ ” In re Extradition of Santos, 795 F.Supp.2d 966,
18 969 (C.D. Cal. 2011). The judge is to hold a hearing to determine “whether (1) the crime is
19 extraditable; and (2) there is probable cause to sustain the charge.” Prasoprat, 421 F.3d at 1012.

20 The Court has limited authority in the overall extradition process as “[e]xtradition is a
21 matter of foreign policy entirely within the discretion of the executive branch, except to the
22 extent that the statute interposes a judicial function.” Vo v. Benov, 447 F.3d 1235, 1237 (9th
23 Cir. 2006) (quoting Lopez-Smith v. Hood, 121 F.3d 1322, 1326 (9th Cir. 1997)). The Court does
24 not consider whether the extraditee is guilty, but merely whether there is competent legal
25 evidence which would justify holding the individual for trial. Collins v. Loisel, 259 U.S. 309,
26 315-16 (1922).

27 In the extradition hearing, there are no discretionary decisions for the judge to make.
28 Prasoprat, 421 F.3d at 1012. If the judge “deems the evidence sufficient to sustain the charge

1 under the provisions of the proper treaty or convention, or under section 3181(b), he shall certify
2 the same, together with a copy of all the testimony taken before him...." 18 U.S.C. § 3184. It is
3 within the discretion of the Secretary of State to determine whether the individual will be
4 surrendered. Prasoprat, 421 F.3d at 1012.

5 **III.**

6 **DISCUSSION**

7 "Foreign states requesting extradition are not required to litigate their criminal cases in
8 American courts[;] and therefore, "the scope of the extradition court's review 'is limited to a
9 narrow set of issues concerning the existence of a treaty, the offense charged, and the quantum of
10 evidence offered.' " Santos, 830 F.3d at 991. "The larger assessment of extradition and its
11 consequences is committed to the Secretary of State." Id. (quoting United States v. Kin-Hong,
12 110 F.3d 103, 110 (1st Cir. 1997)). To obtain a certification of extraditability on behalf of
13 Mexico, the United States has the burden of demonstrating each of the following elements:

14 (1) the court possesses subject matter jurisdiction to conduct
15 extradition proceedings; (2) the court possesses personal
16 jurisdiction over the person named in the extradition request; (3) a
17 valid extradition treaty exists between the requesting state and the
18 United States; (4) the extradition treaty between the requesting
19 state and the United States is, and at all relevant times has been, in
20 full force and effect; (5) the person named in the extradition
21 request is charged with having committed a criminal offense
22 within the jurisdiction of the requesting state; (6) the charged
23 offense is extraditable under the relevant extradition treaty (that is,
24 the offense charged falls within the terms of the relevant
25 extradition treaty); (7) the person named in the extradition request
26 is the person arrested and brought before the court; and (8) there is
27 competent evidence establishing probable cause to believe that the
28 person named in the extradition request committed the charged
offense.

In re Extradition of Santos, 795 F.Supp.2d at 969-70 (citing 18 U.S.C. §§ 3184, 3190).

Based on the parties' submissions and arguments at the extradition hearing, the only
disputed element for a certification of extraditability is probable cause. The Court therefore only
briefly addresses the other elements.

A. Subject Matter Jurisdiction

This Court has subject matter jurisdiction over, and the undersigned is authorized to

1 conduct, extradition proceedings pursuant to Title 18 U.S.C. § 3184 and Local Rule 302(b)(8).

2 **B. Personal Jurisdiction**

3 “A district court has jurisdiction over a fugitive found within its jurisdictional
4 boundaries.” In re Extradition of Camelo-Grillo, No. CV 16-9026 JVS (SS), 2017 WL 2945715,
5 at *5 (C.D. Cal. July 10, 2017) (citing 18 U.S.C. § 3184 (“a judge “may, upon complaint made
6 under oath, charging any person found within his jurisdiction...”)). Juárez was “found” in this
7 District while an inmate at United States Penitentiary, Atwater. (ECF No. 1 at 9.) Accordingly,
8 the Court has personal jurisdiction over Juárez to determine his extraditability pursuant to 18
9 U.S.C. § 3184.

10 **C. A Valid Treaty Exists that Has Been In Full Force and Effect**

11 The Ninth Circuit instructs that courts should defer to the decisions of the State
12 Departments of the two countries in determining the continuing validity of an extradition treaty.
13 Then v. Melendez, 92 F.3d 851, 854 (9th Cir. 1996). In support of extradition, the Government
14 has submitted a declaration by Tom Heinemann, the Attorney Adviser in the Office of the Legal
15 Adviser for the Department of State, Washington, D.C. (ECF No. 18 at 1-2.) Mr. Heinemann
16 states that the Treaty between the United States and Mexico is in full force and effect. (Id. at 1,
17 ¶ 2.) Accordingly, the Court finds that a valid extradition treaty between the United States of
18 America and Mexico is, and at all relevant times has been, in full force and effect.

19 **D. Identity**

20 The Government provides documentation, including the Mexican arrest warrant, that
21 Juárez has been charged with femicide, as punishable by Article 129 of the Baja Criminal Code,
22 for the alleged killing of his stepmother in Tijuana, Mexico. (ECF Nos. 1, 18 at 3-30.) The
23 Court finds the Aaron Seth Juárez sought by the Mexican authorities and the Aaron Seth Juárez
24 arrested in this District for extradition and brought before this Court are one and the same
25 person. Juárez admitted his identity at his initial appearance on August 2, 2024 and does not
26 deny he is the person named in the extradition request.

27 **E. Extraditable Offense**

28 The Government must prove Juárez is charged with having committed a criminal offense

1 within the jurisdiction of Mexico and that the offense charged is an extraditable offense covered
2 under the Treaty. In re Extradition of Santos, 795 F.Supp.2d at 969-70. Under the principle of
3 dual criminality, “no offense is extraditable unless it is a crime in both jurisdictions.” Emami v.
4 U.S. Dist. Ct. for N. Dist. of California, 834 F.2d 1444, 1449 (9th Cir. 1987) (quoting Caplan v.
5 Vokes, 649 F.2d 1336, 1343 (9th Cir. 1981)). “It is well established that all the principle of dual
6 criminality requires is that the particular acts alleged constitute a crime in both jurisdictions.”
7 Emami, 834 F.2d at 1450. Neither the name of the crime nor the scope of liability is required to
8 be coextensive or the same in both countries. Id.

9 Article 2 of the Treaty provides for extradition for willful acts if they are (1) listed in the
10 Appendix and punishable under the laws of both countries by deprivation of liberty of at least
11 one year; or (2) not listed in the Appendix but are punishable the laws of both countries by
12 deprivation of liberty of at least one year. Extradition Treaty, U.S.-Mex., May 4, 1978, 31
13 U.S.T. 5059. The Appendix lists 31 extraditable offenses, including “murder or manslaughter.”
14 Id.

15 The Court finds femicide is an extraditable offense covered under the Treaty. The crime of
16 femicide under Article 129 of the Baja Criminal Code “is committed by whoever intentionally
17 deprives one or more women of their life for gender-related reasons.” (ECF No. 18 at 103.)
18 Gender-related reasons are presumed to exist where there has been “a relationship of kinship or
19 affinity” or “any other relationship that entails trust, subordination or hierarchy between the
20 active party and the victim”; or where the victim was “inflicted infamous, degrading or
21 mutilating injuries prior to or subsequent to death.” (Id.) Thus, femicide in Mexico is the
22 murder or manslaughter of a woman for a gender-related reason. See Appendix to 31 U.S.T.
23 5059.

24 In determining whether the conduct would be a crime in the United States so as to satisfy
25 the dual criminality requirement, courts look to “similar criminal provisions of federal law or, if
26 none, the law of the place where the fugitive is found or, if none, the law of the preponderance of
27 the states.” Cucuzzella v. Keliikoa, 638 F.2d 105, 107 (9th Cir. 1981). The Court finds that the
28 offense which Juárez was charged in Mexico, intentionally shooting and killing a woman, would

1 be a crime under the laws of the United States as a violation of 18 U.S.C. § 1111³ or under
 2 California law as a violation of Penal Code § 187⁴.

3 Additionally, the laws in both countries punish the charged offense by at least one year
 4 imprisonment. Pursuant to the Baja Criminal Code, Juárez faces a sentence of imprisonment of
 5 thirty to sixty years if convicted of femicide. (ECF No. 18 at 11, 97.) In the United States, a
 6 federal charge of homicide pursuant to 18 U.S.C. § 1111 and a murder charge pursuant to
 7 California Penal Code § 187 are punishable by a penalty of a term of years to life imprisonment.
 8 18 U.S.C. § 1111(b); Cal. Pen. Code § 190(a). Accordingly, the Court finds Juárez's charged
 9 conduct constitutes an extraditable offense under the terms of the Treaty.

10 **F. Probable Cause**

11 An extradition proceeding is not a trial. Emami, 834 F.2d at 1452. “The function of the
 12 committing magistrate is to determine whether there is competent evidence to justify holding the
 13 accused to await trial, and not to determine whether the evidence is sufficient to justify a
 14 conviction.” Collins, 259 U.S. at 316. Probable cause is established if “there was any evidence
 15 warranting the finding that there was a reasonable ground to believe the accused guilty.”
 16 Mirchandani v. United States, 836 F.2d 1223, 1226 (9th Cir. 1988). Here, Juárez argues that the
 17 evidence submitted by Mexico is not competent for the Court to find probable cause exists.

18 1. Evidence Submitted in Support of Extradition

19 a. **Statement of A.J.V.L.**

20 On March 6, 2019, Mexican authorities conducted an interview of A.J.V.L. (ECF No. 18
 21 at 118-22.) In her statement, A.J.V.L. stated that in the early hours of February 5, 2019, A.J.V.L.
 22 went to Juárez’s house. (Id. at 120.) By approximately 6:00 a.m., one of Juárez’s friends,
 23

24 ³ Pursuant to 18 U.S.C. § 1111, “[m]urder is the unlawful killing of a human being with malice aforethought. Every
 25 murder perpetrated by...willful, deliberate, malicious, and premeditated killing...is murder in the first degree. Any
 other murder is murder in the second degree.” 18 U.S.C. § 1111(a).

26 ⁴ Under California law, murder is the unlawful killing of a human being with malice aforethought. Cal. Pen. Code §
 27 187(a). “[M]alice may be express or implied. (1) Malice is express when there is manifested a deliberate intention to
 unlawfully take away the life of a fellow creature. (2) Malice is implied when no considerable provocation appears,
 or when the circumstances attending the killing show an abandoned and malignant heart.” Cal. Pen. Code § 188(a).
 28 All murder that is perpetrated...by any other kind of willful, deliberate, and premeditated killing...is murder of the
 first degree. Cal. Pen. Code § 187(a). All other kinds of murder are of the second degree. Cal. Pen. Code § 187(b).

1 Christopher Rodrigo Coronado, arrived. (Id.) A.J.V.L. heard Juárez and Coronado planning
2 something. (Id.) Juárez told Coronado that he would let him know where the money was but
3 told Coronado to first wait in the white jeep parked in the backyard because Juárez and A.J.V.L.
4 were going to have sex. (Id.) Juárez went outside with Coronado and the decedent appeared in
5 Juárez's bedroom, asking A.J.V.L. what she was doing there. (Id.) A.J.V.L. told her she was
6 visiting. (Id.) The decedent told A.J.V.L. that it was not the proper hour for a visit. (Id.) Juárez
7 then returned and began to argue with the decedent. (Id.) Juárez told the decedent to stay out of
8 his business and the decedent told Juárez she was going to talk to his father because it was not
9 okay to have young girls in the house. (Id.) Although they continued in English, A.J.V.L.
10 understood they were arguing because they were yelling at each other. (Id.)

11 A while later, A.J.V.L. and Juárez were sitting on his bed when A.J.V.L. heard the
12 decedent turn on the television in another room. (Id.) Juárez took a gray handgun out of a
13 drawer. (Id.) A.J.V.L. asked what he wanted the gun for, and he replied, "you're about to see."
14 (Id.) Juárez left the bedroom. (Id.) After hearing a door slam, A.J.V.L. exited the bedroom,
15 stood in the hallway, and noted how Juárez and Coronado were coming in without saying a
16 word. (Id.) Juárez then aimed the gun at the decedent as she was sitting on the couch, then shot
17 the decedent by her eye. (Id. at 120-21.)

18 Juárez told A.J.V.L. and Coronado to go to his bedroom and get comforters to cover the
19 decedent. (Id. at 121.) Juárez threatened A.J.V.L. not to say anything or yell. (Id.) Juárez and
20 Coronado wrapped the decedent in a white blanket and then a brown blanket. (Id.) Juárez,
21 Coronado, and A.J.V.L. went to the backyard and the men began to dig a hole with a shovel and
22 pickaxe in front of a white Volkswagen without a grill. (Id.)

23 Juárez said he was going to get lime and told Coronado to watch A.J.V.L., threatening to
24 have them both killed if they left. (Id.) Juárez returned with four bags of lime and threw it in the
25 hole. (Id.) Juárez left again and returned with another four bags of lime. (Id.) Juárez and
26 Coronado attempted to carry the decedent's body, but it was too heavy. (Id.) Later, Juárez
27 returned with a person named Isaac, and the three men loaded the decedent's body into a
28 wheelbarrow, put the decedent's body in the hole, and poured lime and dirt on top. (Id. at 121-
28

1 22.) The three men then pushed the Volkswagen on top of the hole. (Id. at 122.)

2 Juárez went into the house and, with Coronado's help, began taking things out of the
3 house and placing them in the cars parked outside. (Id.) He also told Coronado and Isaac to take
4 vehicles from the property. (Id.) Juárez dropped A.J.V.L. off at a store and threatened her not to
5 say anything. (Id.) Afterwards, Juárez came looking for her twice, which made A.J.V.L. fear for
6 her and her family's safety and prompted her to report the incident to the police. (Id.)

7 **b. Statement of Christopher Rodrigo Coronado**

8 On February 25, 2019, Mexican authorities conducted an interview of Coronado. (ECF
9 No. 18 at 110-16.) In his statement, Coronado stated that on February 4, 2019, Juárez asked
10 Coronado to help him steal \$5,000 and cars from his relative's house to which Coronado agreed.
11 (Id. at 112.) At approximately 6:00 a.m. on February 5, 2019, Juárez and A.J.V.L. picked
12 Coronado up and drove him to a house where Juárez's father and stepmother lived. (Id. at 112-
13 13.) Juárez pointed to two vehicles, including a white Jeep Cherokee, and told Coronado those
14 were the vehicles they were going to steal. (Id. at 113.) He also told Coronado that the Jeep
15 belonged to his stepmother and that she was inside the house. (Id.) Juárez instructed Coronado
16 to get into the Jeep and wait until he called him. (Id.) Juárez then went inside the house to have
17 sex with A.J.V.L. and to investigate his stepmother's whereabouts. (Id.)

18 Approximately a half hour later, Juárez came outside and showed Coronado a silver
19 handgun. (Id.) Juárez told Coronado he would kill his stepmother with the gun because he was
20 "sick of her" and because he wanted to stay with his father and keep the house and cars. (Id.)
21 Coronado tried to dissuade him, but Juárez responded that he was determined to do it. (Id.)

22 Coronado went into the house with Juárez and saw the decedent sitting on the couch
23 looking at her cell phone. (Id.) Coronado saw Juárez walk over and, without saying anything,
24 shoot the decedent in the face near her eye. (Id.) Coronado heard A.J.V.L. tell Juárez that she
25 thought he was going to do it at night, when his father got home. (Id.) Juárez replied that he did
26 it in advance and that he would tell Coronado to kill his father when his father came home. (Id.
27 at 114.) Juárez aimed the gun at Coronado and asked if he was going to back out. (Id.)
28 Coronado responded that he would do whatever Juárez told him because he thought Juárez

1 would shoot him. (Id.)

2 Juárez asked A.J.V.L. to grab a blanket and she returned with two, a white one and a beige
3 one. (Id.) Juárez, A.J.V.L., and Coronado went to the back of the house where a white
4 Volkswagen that was missing the right fender was parked. (Id.) Juárez began digging with a
5 shovel and pickaxe but was unable to do it, so he called another man to help. (Id.) They threw
6 the decedent's body in the hole and covered it with lime and dirt. (Id.) Juárez threatened to kill
7 Coronado if he said anything. (Id.)

8 Juárez then told Coronado details about his plan to kill his father when his father got
9 home. (Id. at 114-115.) Coronado heard the carport open and believed Juárez's father had
10 arrived. (Id. at 115.) Coronado was scared and ran. (Id.) He ran into Juárez's father and heard
11 Juárez firing. (Id.) Coronado did not know what happened next because he ran away, but, the
12 following day, on February 6, 2019, Coronado noticed Juárez trying to sell the white Cherokee
13 and his father's dark green Cherokee. (Id.)

14 **c. Statement of G.B.J.S.**

15 On February 18, 2019, Mexican authorities conducted an interview of the decedent's
16 husband and Juárez's father, G.B.J.S. (ECF No. 18 at 125-27.) In his statement, G.B.J.S. stated
17 he and the decedent got up at approximately 3:45 a.m. when Juárez arrived home. (Id. at 126.)
18 The decedent was upset because Juárez had brought a girl home, but G.B.J.S. said it was okay.
19 (Id.) G.B.J.S. left for work, and arrived by approximately 6:28 a.m. (Id.) At approximately
20 12:00 p.m., G.B.J.S. tried calling the decedent, but her phone went directly to voicemail. (Id.)
21 G.B.J.S. arrived home at approximately 4:00 p.m. (Id. at 127.) G.B.J.S. opened the garage door,
22 went inside, sat on the couch, and noticed the house was in disarray and items were missing.
23 (Id.) He heard the garage door open, and Juárez arrived in a truck. (Id.) G.B.J.S. asked Juárez
24 about the decedent and Juárez said she got upset with him for playing PlayStation and left
25 without saying anything. (Id.) G.B.J.S. went to the store and, when he returned, Juárez was in
26 the backyard. (Id.) G.B.J.S. went to the bathroom and when he came out, he opened the door to
27 Juárez's room where he found a man pointing a gun at him. (Id.) The man shot at G.B.J.S. (Id.)
28 When G.B.J.S. went out the front door, Juárez helped him and took him to the authorities. (Id.)

1 G.B.J.S. stated he did not know what happened to the decedent. (Id.)

2 **d. Statement of E.S.G.**

3 On February 27, 2019, Mexican authorities conducted an interview of the decedent's
4 sister, E.S.G. (ECF No. 18 at 129-38.) In her statement, E.S.G. stated the decedent had known
5 Juárez since he was four years old, and she loved him as a son. (Id. at 131.) She relayed that
6 Juárez did not go to school and did not have a job. E.S.G. surmised Juárez had moved into his
7 father and stepmother's house because his mother could no longer tolerate his behavior. (Id.)

8 In December 2018, the decedent told E.S.G. that Juárez had been taken from the house by
9 authorities on several occasions for having guns on him, and that his father had paid bribes so
10 Juárez would not be prosecuted. (Id. at 132.) The decedent also told E.S.G. that Juárez had legal
11 problems in the United States and that G.B.J.S. had spent a large amount of money to pay his
12 bail. (Id.) The decedent also told E.S.G. that when she previously asked Juárez why he was
13 armed, he replied that he "like[d] to always carry a gun." (Id.)

14 On February 5, 2019, E.S.G.'s husband received a text from a friend telling him that
15 G.B.J.S. had been shot by a thief. (Id.) E.S.G. called the decedent and was sent directly to
16 voicemail. (Id. at 132-33.) E.S.G. checked WhatsApp and saw that the decedent had last been
17 online at 6:37 a.m. on February 5, 2019, which seemed unusual to E.S.G. because the decedent
18 was always online. (Id. at 133.)

19 On February 6, 2019, G.B.J.S. told E.S.G. he had last seen the decedent before he left for
20 work on February 5, 2019, and did not know where she was. (Id.) The decedent was not at
21 home when he arrived, and he heard noises in Juárez's room. (Id.) He went into the room, and a
22 person he did not know shot him. (Id.) Juárez told G.B.J.S. that Juárez had argued with the
23 decedent at 11:00 a.m. on February 5, 2019 and that he did not know the person who shot
24 G.B.J.S. (Id.)

25 On February 7, 2019, E.S.G. went to the decedent's house with authorities, who
26 interviewed Juárez. (Id. at 134.) Juárez claimed that the decedent had left the house following
27 an argument with G.B.J.S. (Id.) E.S.G. was suspicious because it was different from what
28 G.B.J.S. had told E.S.G., and because the decedent would have called or stayed with her family.

1 (Id.)

2 On February 16, 2019, E.S.G. posted on Facebook asking for information about the
3 decedent's whereabouts. (Id.) That night, she received a call from an anonymous individual
4 who stated he knew the decedent was missing, that she was "buried by her house," and that
5 E.S.G. should "look behind the house." (Id.)

6 On February 17, 2019, E.S.G. received a Facebook message from a woman claiming to
7 be Juárez's ex-girlfriend, M.T. (Id. at 135.) E.S.G. called M.T., who said that when she asked
8 Juárez about the decedent, he told her "she asked for it, she tried to clean my old man's money
9 out." (Id.)

10 On February 22, 2019, E.S.G. received a call from an anonymous individual who said a
11 man named "El Genser," also named Christopher Rodrigo or Rodriguez, confessed he was present
12 the day decedent was killed. (Id.) El Genser reportedly told the caller that Juárez said the
13 decedent "will not get to keep my dad's land lots" before he shot her eye. (Id.) The person said
14 two other individuals were present and Juárez buried the decedent in the back of the house. (Id.)

15 On February 22, 2019, E.S.G. called G.B.J.S. and asked him whether he believed Juárez
16 had harmed the decedent. (Id.) G.B.J.S. replied "of course" he did. (Id.)

17 On February 24, 2019, E.S.G., her father (J.E.G.M.), her sister (K.), her brother-in-law,
18 and two others went to the decedent's house to dig in the backyard. (Id. at 136.) They saw a
19 muddy shovel and pickaxe behind the house and noticed the soil under a white Volkswagen had
20 been disturbed. (Id.) The group moved the vehicle and took turns digging holes until they found
21 white powder, boards, a blanket, then a foot with a black boot, which E.S.G. recognized as the
22 decedent's. (Id.) They called the authorities, who confirmed it was the decedent's body. (Id.)

23 **e. Statement of Decedent's Father, J.E.G.M.**

24 On February 26, 2019, Mexican authorities conducted an interview of the decedent's
25 father, J.E.G.M. (ECF No. 18 at 141-47.) In his statement, J.E.G.M. stated the decedent had
26 been living with Juárez for approximately 15 years, "so [Juárez] was practically her relative; they
27 trusted each other." (Id. at 146.) He described decedent and Juárez's relationship as good for
28 years until Juárez began using drugs. (Id.) J.E.G.M. reported Juárez had a problem with the

1 decedent because he wanted his father's house, assets, and possessions. (Id.)

2 J.E.G.M. last heard from the decedent on WhatsApp on February 4, 2019. (Id.) On
 3 February 5, 2019, he received a call that G.B.J.S. had been attacked. (Id. at 143.) J.E.G.M.
 4 called G.B.J.S. and asked where the decedent was because he nor her sisters could get in touch
 5 with her. (Id.) G.B.J.S. told J.E.G.M. that when he arrived home, Juárez told him he had a
 6 "strong argument" with the decedent earlier that morning and that she had taken belongings and
 7 left in her white Jeep Cherokee. (Id. at 143-44.)

8 On February 24, 2019, J.E.G.M. went to the decedent's house after E.S.G. told J.E.G.M.
 9 she had received a phone call informing her that the decedent was buried in the backyard. (Id. at
 10 144.) In the backyard, J.E.G.M. observed an abandoned white Volkswagen, four shovels, a pole,
 11 and a pickaxe. (Id.) J.E.G.M. began digging under the Volkswagen, and, about a foot deep, the
 12 pickaxe came out of the ground stained with lime. (Id.) The group continued digging, found
 13 more lime, then a beige or light brown blanket, and then a foot with a black, boot-type slipper on,
 14 which he recognized as belonging to the decedent. (Id.)

15 **f. Autopsy Report**

16 On February 25, 2019, a medical examiner conducted an autopsy of decedent's body.
 17 (ECF No. 18 at 149-56.) The decedent was found to have a wound that was characteristic of
 18 being produced by a firearm projectile in the face near her right eye. (Id. at 151-52, 153.) It was
 19 estimated that the decedent died 20 to 30 days before the autopsy was conducted. (Id. at 155.)
 20 The medical examiner concluded the cause of death was "encephalic laceration secondary to
 21 perforating cranium wound produced by firearm projectile (bullet)." (Id.)

22 **g. Photographic Identification Proceedings**

23 On May 17, 2019, Mexican authorities conducted identification proceedings with A.J.V.L.,
 24 E.S.G., and J.E.G.M. (ECF No. 18 at 158-80.) A.J.V.L. positively identified a photograph of
 25 Juárez as the man she witnessed shoot the decedent in the face, by her eyes. (Id. at 158-64.)
 26 E.S.G. and J.E.G.M. also positively identified a photograph of Juárez. (Id. at 166-80.)

27 **2. Analysis**

28 The Government contends that the evidence offered by Mexico is competent to support

1 probable cause that Juárez committed the offense charged. Juárez argues that the evidence
2 submitted is insufficient to establish probable cause that he killed the decedent. Juárez first
3 argues that the statements of the two eyewitnesses, Coronado and A.J.V.L., contradict each other
4 and G.B.J.S.'s statement, which undermines the competency and reliability of their statements.
5 Juárez also argues that no physical evidence has been submitted that supports any finding that he
6 committed the offense of femicide on February 5, 2019.

7 In addressing Juárez's arguments regarding the eyewitness statements, the Court is guided
8 by its limited role in extradition proceedings. “[I]t is not [this court's] role to determine whether
9 there is sufficient evidence to convict the accused” or to “weigh conflicting evidence and make
10 factual determinations.” Quinn v. Robinson, 783 F.2d 776, 815 (9th Cir. 1986). Rather, the
11 Court is tasked only with determining whether probable cause exists to believe that the fugitive
12 committed the offense charged. See Santos, 830 F.3d at 991. Probable cause is a
13 “commonsense, nontechnical conception[] that deal[s] with ‘the factual and practical
14 considerations of everyday life on which reasonable and prudent men, not legal technicians, act.’”
15 Ornelas v. United States, 517 U.S. 690, 695 (1996) (quoting Illinois v. Gates, 462 U.S. 213,
16 231 (1983)). Probable cause exists where the known facts and circumstances are sufficient to
17 warrant a person of reasonable prudence that the individual committed the act accused. Ornelas,
18 517 U.S. at 696. In determining whether probable cause exists, the Court only determines
19 whether any competent evidence has been presented to support the belief that the accused
20 committed the charged offense. Quinn, 783 F.2d at 815; In re Extradition of Santos, 795
21 F.Supp.2d at 989 n.12.

22 Juárez argues that, as an initial matter, the Court should automatically question the
23 reliability and competency of Coronado and A.J.V.L.'s statements because they were not made
24 until 20 and 31 days, respectively, after decedent's murder and after her body was found. The
25 Court disagrees. Eyewitness statements do not fail to constitute competent evidence merely
26 because they were made weeks after the incident. Juárez does not challenge that the delay in
27 time affected the most salient portion of Coronado and A.J.V.L.'s statements: that both saw
28 Juárez shoot the decedent. The fact that both statements were provided weeks after the incident

1 and after the body was recovered may be a fruitful topic for cross-examination at trial, but the
2 delay alone does not cast a de facto shadow of unreliability over the substance of the statements
3 for probable cause purposes. Even if it did, Coronado and A.J.V.L.’s statements shed light on
4 their respective delay in approaching the authorities, the veracity of which may also be fleshed
5 out before the trier of fact. Both stated they were fearful of Juárez and had been threatened by
6 him more than once not to say anything. (ECF No. 18 at 114, 115, 121, 122.) A.J.V.L.
7 explained she went to the authorities because Juárez had gone to her house twice after the
8 incident, causing her to fear for her and her family’s safety. (Id. at 122.) Coronado explained he
9 only went to the authorities after learning Juárez had “run away abroad.” (Id. at 116.) That the
10 eyewitnesses’ statements were made weeks after the incident could be seen as weaknesses in the
11 prosecution’s case, but it does not alone deem them inherently unreliable for probable cause
12 purposes.

13 Juárez compares the 20 and 31 day timeframes between Coronado and A.J.V.L.’s
14 statements with that of his father’s statement, which was made on February 18, 2019, or 13 days
15 after G.B.J.S. and his wife were shot. Juárez describes G.B.J.S.’s statement as the “most reliable
16 account of what occurred on February 5, 2019,” “a clear recollection of what occurred,” and
17 “unimpeachable.” (ECF No. 20 at 6, 8.) Juárez points to the portion of G.B.J.S.’s statement that
18 describes another man in the home after 4:00 p.m. on February 5, 2019, and that man, not Juárez,
19 shot G.B.J.S. Juárez notes this statement is inconsistent with Coronado’s statement that Juárez
20 shot G.B.J.S. Juárez argues that, based on the statement of G.B.J.S., “who has no incentive to lie
21 at the time he was interviewed, it is evident that Mr. Coronado is lying when he states that it was
22 Mr. Juárez who shot at his father.” (Id. at 8.)

23 The Court rejects resolving Juárez’s factual dispute regarding the weight and credibility of
24 G.B.J.S. and Coronado’s purportedly conflicting statements. To find Coronado is lying and thus
25 discount his statement, the Court must necessarily find G.B.J.S. is more credible. That is a
26 matter for the trier of fact in Mexico. Although the credibility of the witnesses and the weight to
27 be accorded to their testimony is within the province of the extradition judge, the Court may not
28 weigh conflicting evidence and make factual determinations. Quinn, 783 F.2d at 815. The

1 limited nature of these proceedings does not permit the Court to weigh G.B.J.S. and Coronado's
2 statements and, on the papers, find one is more credible than the other.

3 The Court also does not find, as Juárez suggests, that G.B.J.S.'s February 18, 2019
4 statement conflicts with Coronado and A.J.V.L.'s statements by implicating another individual,
5 not Juárez, in the decedent's murder. G.B.J.S. states he left home in the early hours of February
6 5, 2019, leaving the decedent, Juárez, and a girl at the home, and arrived at work prior to 6:28
7 a.m. (ECF No. 18 at 126.) At noon, G.B.J.S. attempted to call the decedent, but her phone went
8 to voicemail. (*Id.*) G.B.J.S. did not return home until approximately 4:00 p.m. (*Id.* at 127.)
9 Contrary to Juárez's argument, G.B.J.S. does not provide *any* statement that implicates that
10 another individual killed his wife while he was at work. Rather, he expressly told authorities that
11 he "[didn't] know what happened to [his] wife." (*Id.*) Notably, four days after this statement to
12 authorities, when asked by E.S.G. on February 22, 2019 whether he suspected Juárez "did
13 something" to the decedent, he responded "[o]f course I do, I actually talked to his mother and
14 she talked to his probation officer." (ECF No. 18 at 135.) Thus, even accepting that there are
15 inconsistencies in the evidence regarding who shot G.B.J.S. after 4:00 p.m. on February 5, 2019,
16 the eyewitness statements are consistent that Juárez was the individual that shot the decedent
17 earlier that morning. Juárez is not charged with shooting G.B.J.S. in Mexico's extradition
18 request. The only offense charged is femicide for the killing of decedent. The conflicting
19 statements regarding who shot G.B.J.S. in no way explain away or obliterate the evidence that
20 two eyewitnesses saw Juárez shoot the decedent.

21 The Court also rejects Juárez's credibility challenge to A.J.V.L.'s statement. Juárez points
22 out that Coronado implicated A.J.V.L. as being involved in the plan to steal from and/or shoot
23 the decedent. However, in her statement to authorities, A.J.V.L. omitted any information about
24 her knowledge or involvement. Juárez therefore avers that A.J.V.L.'s statement is unreliable for
25 purposes of this proceeding because it is "less than truthful and self-serving." (ECF No. 20 at 9.)
26 Such factual disputes regarding the weight and credibility of evidence are reserved for trial in
27 Mexico. See Matter of Extradition of Hector Manuel Lara Gutierrez, No. 16-cv-05061 PSG
28 DFM, 2017 WL 8231237, at *4 (C.D. Cal. Feb. 22, 2017) (rejecting fugitive's claim that the

1 eyewitness statement “border[ed] on incredible,” and finding the statement satisfied probable
2 cause because “the circumscribed nature of this Court’s inquiry does not permit the Court to
3 weigh the credibility of [the eyewitness’s] statements.”); Matter of Extradition of Acevedo, No.
4 ED CV 16-1766-R (KS), 2017 WL 3491749, at *8 n.4 (C.D. Cal. Aug. 11, 2017) (rejecting
5 fugitive’s claim that an eyewitness statement “is suspect and more likely than not false,” and
6 finding the statement satisfied probable cause because resolving factual disputes regarding the
7 weight and credibility of evidence are “beyond the scope of this extradition proceeding and are
8 properly reserved for trial in the requesting country.”). Further, the Ninth Circuit has held that
9 the self-incriminating statements of accomplices are sufficient to establish probable cause in an
10 extradition hearing. Zanazanian v. United States, 729 F.2d 624, 627–28 (9th Cir. 1984) (citing
11 Curreri v. Vice, 77 F.2d 130, 132 (9th Cir. 1935); Eain v. Wilkes, 641 F.2d 504, 510 (9th Cir.
12 1981) cert. denied, 454 U.S. 894). The fact that A.J.V.L. may have been aware of or involved in
13 a plan to steal from and/or shoot the decedent is the type of evidence that can be argued to the
14 trier of fact to impeach A.J.V.L.’s credibility, but it does not obliterate the evidence of probable
15 cause.

16 Although Juárez identifies additional inconsistencies between Coronado and A.J.V.L.’s
17 statements, such as what time A.J.V.L. arrived at Juárez’s home in the morning and whether
18 A.J.L.V. was with Juárez when he picked up Coronado at 6:00 a.m., these inconsistencies are not
19 so significant that they render all of Coronado and A.J.V.L.’s statements unreliable. See In re
20 Salazar, No. 09-mj-2545-BLM, 2010 WL 2925444, at *11 (S.D. Cal. July 23, 2010). The Court
21 finds that largely what Juárez characterizes as inconsistencies in the witness statements are the
22 types of inconsistencies that will go to the weight that the trier of fact should consider or
23 arguments as to the interpretation of the evidence. Critically, Coronado and A.J.V.L. are
24 consistent in their accounts that they saw Juárez shoot the decedent in the face near her eyes.
25 Although Coronado and A.J.V.L.’s statements have weaknesses due to their delayed reporting,
26 involvement, and some inconsistent details, the Court finds their statements have sufficient
27 indicia of reliability based upon corroborating circumstances to constitute competent evidence
28 that supports the belief that Juárez committed the charged offense.

1 Additionally, Juárez argues that the government has not provided any physical evidence
2 that ties Juárez to the decedent's murder. For example, Juárez points out that G.B.J.S. told
3 authorities that he sat on the couch when he returned from work on February 5, 2019 and made
4 no reference to blood or blood spatter in the living room or on the couch. Juárez infers that this
5 suggests the shooting did not occur where A.J.V.L. and Coronado said it did. However, G.B.J.S.
6 does not make an affirmative statement that he did *not* see any biological material when he sat on
7 the couch. That G.B.J.S. failed to make any observation related to biological material can be
8 argued to the trier of fact or addressed in cross-examination, but the omission does not explain
9 away the existing probable cause in this matter.

10 Juárez also points out that the record omits any evidence that the murder weapon was
11 recovered; that no evidence was submitted identifying what caliber of firearm was used; and no
12 mention is made that any casings were recovered or tested for DNA or fingerprints. (ECF No.
13 20 at 10-11.) However, "the country seeking extradition is not required to produce all its
14 evidence at an extradition hearing and it is not our role to determine whether there is sufficient
15 evidence to convict the accused." Quinn, 783 F.2d at 815; Santos, 830 F.3d at 991 ("Foreign
16 states requesting extradition are not required to litigate their criminal cases in American
17 courts."). Rather, probable cause exists "if there is *any* competent evidence in the record to
18 support it." Then, 92 F.3d at 854 (emphasis added). There is no requirement that there be
19 physical evidence linking Juárez to the killing for probable cause to exist that he committed the
20 crime charged. See Bozilov v. Seifert, 983 F.2d 140, 143 (9th Cir. 1992) (finding an
21 uncorroborated witness statement can establish probable cause); In re Extradition of Singh, No.
22 01-6215 OWW, 2005 WL 3030819, at *40 (E.D. Cal. Nov. 9, 2005) ("Eye-witness testimony, if
23 accepted, is sufficient to extradite a fugitive.")

24 Here, the Government has presented two eyewitness statements and corroborating
25 evidence. A.J.V.L. and Coronado both describe that Juárez planned to steal money and vehicles
26 from the decedent's home. (ECF No. 18 at 112, 120.) Both witnessed Juárez walk up to the
27 decedent as she was seated on the couch and shoot her in the face near her eyes with a handgun.
28 (Id. at 113, 120-21.) Both witnesses describe wrapping the decedent's body in white and

1 brown/beige blankets and, with help from a third man, burying the body with lime and dirt
2 underneath a white Volkswagen with a missing fender or grill in the backyard of decedent's
3 house. (Id. at 114, 121.) A.J.V.L. and Coronado's statements are consistent with how and where
4 E.S.G. and J.E.G.M. found the decedent's body wrapped in a brown/beige blanket and buried
5 with lime under a white Volkswagen in decedent's backyard. (Id. at 136, 144.) Additionally,
6 A.J.V.L. and Coronado's statements regarding the manner in which they saw Juárez shoot the
7 victim in the face near the eyes are corroborated by the findings of the medical examiner who
8 concluded the decedent died from a bullet travelling through her head. (Id. at 155-53, 155.)
9 A.J.V.L. also positively identified Juárez as the decedent's shooter in a photographic
10 identification proceeding. (Id. 158-64.) Another witness, E.S.G., recounted the decedent telling
11 her Juárez had previously been found in possession of guns and had told the decedent that he
12 liked to always carry a gun. (Id. at 132.) E.S.G. also spoke with Juárez's ex-girlfriend, to whom
13 Juárez relayed that the decedent "asked for it" and that she "tried to clean [his] old man's money
14 out." (Id. at 135.) The evidence also includes descriptions of Juárez and the decedent's
15 relationship by E.S.G. and J.E.G.M. as one beginning when Juárez was four years old—a kinship
16 through marriage lasting approximately fifteen years—and one where they lived together,
17 "trusted each other," and "were practically [] relative[s]." (Id. at 131, 146.) This evidence is
18 competent to support probable cause to believe that Juárez intentionally deprived his stepmother
19 of her life for gender-related reasons, as defined by Article 129 of the Baja Criminal Code.

20 Given the totality of evidence provided for the limited purpose of these extradition
21 proceedings, the Court finds there is probable cause to believe that Juárez committed the offense
22 for which extradition is sought.

23 **IV.**

24 **FINDINGS AND CERTIFICATION**

25 Accordingly, for the foregoing reasons, the Court makes the following findings:

26 1. This Court has subject matter jurisdiction over, and the undersigned is authorized to
27 conduct, extradition proceedings pursuant to Title 18 U.S.C. § 3184 and Local Rule
28 302(b)(8);

- 1 2. This Court has personal jurisdiction over Aaron Seth Juárez, found in this District
- 2 pursuant to a complaint filed by the United States in response to the formal request
- 3 by the Government of Mexico for extradition of Aaron Seth Juárez;
- 4 3. There is a valid extradition treaty between the United States of America and
- 5 Mexico ("Treaty") that has at all relevant times been in full force and effect;
- 6 4. Aaron Seth Juárez is the person named in the extradition request and is the person
- 7 arrested and brought before the Court;
- 8 5. Aaron Seth Juárez has been charged in Mexico with femicide, as provided for and
- 9 penalized by Article 129 of the Criminal Code of the State of Baja California,
- 10 Mexico;
- 11 6. The charge of femicide constitutes an extraditable offense within the meaning of
- 12 the Treaty, is substantially analogous to laws in the United States of America, and
- 13 is punishable in both the United States and Mexico by imprisonment for a term
- 14 exceeding one year;
- 15 7. There is competent evidence establishing probable cause to believe that Aaron Seth
- 16 Juárez committed the charged offense; and
- 17 8. The documents required have been presented in accordance with the laws of the
- 18 United States of America and the Treaty and have been certified by the principal
- 19 consular officer of the United States of America in Mexico.

20 Accordingly, pursuant to 18 U.S.C. § 3184 and the above findings, the Court hereby
21 CERTIFIES to the Secretary of State that Aaron Seth Juárez is extraditable to Mexico for the
22 charged crime of femicide.

23 IT IS FURTHER ORDERED that Aaron Seth Juárez remain committed to the custody of
24 the United States Marshals Service pending further decision on extradition and surrender by the
25 Secretary of State pursuant to 18 U.S.C. § 3186.

1 The Clerk of the Court is DIRECTED to forward a certified copy of this Certification to
2 the Secretary of State (to the attention of the Office of the Legal Adviser).

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4 IT IS SO ORDERED.

5 Dated: March 11, 2025


6 STANLEY A. BOONE
7 United States Magistrate Judge

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